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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,484	10/07/2003	Louis Salvatore Addonizio	US0306/187	5529
23697	7590	08/08/2006	EXAMINER	
Island Patent Associates 12 Rutgers road Farmingville, NY 11738			ALI, MOHAMMAD	
			ART UNIT	PAPER NUMBER
			2166	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No. 10/680,484	Applicant(s) ADDONISIO ET AL.	
	Examiner Mohammad Ali	Art Unit 2166	

All participants (applicant, applicant's representative, PTO personnel):

(1) Mohammad Ali. (3) _____.

(2) F. Scott Tierno (Reg. No. 39,3969). (4) _____.

Date of Interview: 04 August 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1,12,22 and 25.

Identification of prior art discussed: Issacman et al. (USP, 5,936,527).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative discussed the proposed amendment and Examiner suggested claims 22 and 25 should amended in order to make it parallel like as claims 1 and 12. After receiving the amendment futher search will be conducted and another office action follow-up.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

**Island Patent****— Patent Practitioners —**

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Fax Cover Sheet

To: USPTO
EXAMINER M. ALI

From: Scott Tierno

Fax: 1-571-273-4105
Voice: (SAME)

Date: 2 AUG 2006

Message: _____

Confidential

The documents and information contained herein are confidential and proprietary, and intended for use by the addressee listed above. Any other recipient is respectfully requested to immediately notify the sender at 631.698.2697. All costs incurred will be reimbursed. Thank-you.

Total Number of Sheets (including this one): 29

PTOL-413A (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/680,484 First Named Applicant: Addoniso
Examiner: Mohammad Ali ** Art Unit: 2166 Status of Application: Pending

** Action written by Examiner A. Setlak

Tentative Participants:

(1) F. S. Tierno (2) Examiner M. Ali
(3) _____ (4) _____

Proposed Date of Interview: Friday Aug 4, 2006 Proposed Time: 10:00 AM (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej., 112, 2nd Para.</u>	<u>Claim 8</u>	<u>N/A</u>	☐	☐	☐
(2) <u>Rej., 102b</u>	<u>1-15, 22-25</u>	<u>Issacman</u>	☐	☐	☐
(3) _____	_____	_____	☐	☐	☐
(4) _____	_____	_____	☐	☐	☐

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Please see attached Agenda and proposed Informal Response.

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/ F. Scott Tierno /

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

F. Scott Tierno

Typed/Printed Name of Applicant or Representative

39, 399

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Island Patent

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July 31, 2006

United States Patent and Trademark Office
Commissioner of Patents
Alexandria, VA 22313

Regarding : Interview Agenda Summary and Informal Draft Correspondence
App. No. : 10/680484
Attention : Examiner M. Ali (571.272.4105)
Art Group : 2166
Title : Asset Management and Status System
Inventor(s) : Addonisio
Filing Date : 07 Oct. 2003
Docket No. : US0306/187
Customer No. : 23697
Action Date : 1 May 2006

Dear Sir:

As per our recent telephone conversation, please find included herewith a "proposed interview agenda", a PTOL413A, and an Informal Draft Response that is not to be made of record. An interview is being requested to discuss this draft response, several important aspects of the applicant's presently claimed invention, and the cited prior art of record.

Please feel free to contact me at your convenience should you require any additional information. If helpful, I can also be reached at 'fscott@islandpatent.com'. Thank-you.

Sincerely,



F. Scott Tierno
Registered Patent Agent
USPTO Reg. No. 39,399
fscott@islandpatent.com
631.698.2697

Proposed Interview Agenda**(See attached Informal Draft Response to the Action of May 1, 2006)**

App. No. : 10/680484
Title : Asset Management and Status System
Attention : Examiner M. Ali
Art Group : 2166
Docket No. : US0306/187
Agent : F. S. Tierno
Reg. No. : 39,399
Cust No. : 23697

I) Review Prior Art:

Discuss Issacman (5,936,527), Figs. 3 and 4; To present and highlight important structural limitations of Issacman, and related operational features/characteristics.

II) Discuss present applicant's invention:

Discuss Figs. 2 and 3; To present and highlight important structural limitations.

Discuss important structures not taught by Issacman, and associated elements and limitations of applicant's pending independent claims:

Please also see Remarks portion of the attached *Informal Draft Response*.

In the United States Patent and Trademark Office

Appl No. : 10/680484 Conformation No. 5529
Inventor : Addonisio et al.
Filed On : 07 Oct 2003
Docket No. : US0306/187
Art Unit : 2166
Examiner : Mohammad Ali (571.272.4105)
Title : Asset Management and Status System

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

(vle)

INFORMAL DRAFT COMMUNICATION - NOT TO BE MADE OF RECORD
(Pursuant to Official Gazette Notice of Oct. 19, 1988)

Dear Sir:

In response to the Office Action dated May 1, 2006, and an interview conducted with the Examiner on XXXXXXXXXX, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2.

Amendments to the Drawings start on page 15, and are provided as Appendix I, with the changes discussed in detail in the Remarks section.

Remarks section begins on page 16.

Appendix including a replacement drawing sheet and an annotated drawing sheet, attached following page 23.

Amendments to the Claims:

The full listing of claims provided below will replace any and all prior versions of all claims presently pending in this application:

Claim 1 (currently amended): An asset management and status system comprising:

a) a remote computing system configured with a wireless communication capability enabling, at minimum, an exchanging of information with any of a plurality of wireless data communication terminals, each data communication terminal available for use by an individual for identifying assets, by receiving directly from a proximate asset of interest, a unique identifying code in order to and aiding in aid in asset management and status determining activities;

b) a database established and maintained on the remote computing system, and available for storing and retrieving information associated with any of a plurality of the assets being managed by the asset management and status system; and

c) the plurality of wireless data communication terminals, with each data communication terminal structured having an equivalent of at least three communication modules supporting:

i) establishing a local, short distance, wireless communication link with a proximate wireless electronic device

fixed to a proximate ~~an~~ asset of interest, such that the communication link enables a receiving by the data communication terminal of information transmitted directly from the electronic device of the asset, with the information including the unique ~~an~~ identifying code assigned to the asset;

ii) receiving and processing position related information for determining a current location at which the ~~asset~~, and data communication terminal, and thereby the proximate asset, are located;

iii) exchanging information with the remote computing system, including transmitting to the remote computing system the determined identifying code and the current location of the data communication and the asset, for use in accessing and updating the database established on the remote computing system.

(Support for these amendments can be found on page 6, lines 19+, and page 16, lines 2+, of the specification as filed.)

Claim 2 (currently amended): The asset management and status system as recited in claim 1, wherein the data communication terminal is a hand-holdable device, comprising:

a) a user interface structured with an information display and a plurality of keyswitches, with the display viewable by a user and keyswitches available to the user for entering command and data information;

- b) a controller for controlling the operation of the wireless data communication terminal, with the user interface and keyswitches operatively coupled to the controller;
- c) a plurality of communication modules including a position determining module, a local wireless transceiver module, and a wireless communication module;
- d) with each communication module operatively coupled to the controller such that:
 - i) the position determining module is available to the controller for receiving position related information and determining current location information indicating a current location of the data communication terminal and proximate items;
 - ii) the local wireless transceiver module responsive to the controller such that when activated thereby, in the presence of ~~an~~ the electronic device, an identifying code at minimum is received directly from the electronic device of a proximate asset, and available to the controller; and
 - iii) the wireless communication module structured for exchanging information, including asset related information, with the remote computing system.

Claim 3 (original): The asset management and status system as recited in claim 2, wherein upon receiving information

including the identifying code from the electronic device, the controller is configured for activating the position determining module, determining a current location, and transmitting the identifying code and the current location information by way of the wireless communication module to the remote computing system.

Claim 4 (currently amended): The asset management and status system as recited in claim 3, with the data communication terminal configured so that the user is prompted to authorize the transmitting of the identifying code and the current location information to the remote computing system.

Claim 5 (currently amended): The asset management and status system as recited in claim 3, wherein upon receiving the information from the data communication terminal, including the identifying code and the current location information, the remote computing system accesses the database and updates information stored in at least one record associated with the asset identified by the received identifying code.

Claim 6 (currently amended): The asset management and status system as recited in claim 5, wherein subsequently to accessing at least a portion of a record associated with the asset

identified by the identifying code, asset related information is transmitted back to the data communication terminal from which the identifying code originated.

{Support for these amendments can be found on page 8, lines 14+, page 26, lines 1+, and page 27, lines 19+}

Claim 7 (original): The asset management and status system as recited in claim 6, wherein asset related information that is transmitted back to the data communication terminal is, at least in part, displayed for user viewing upon the display.

Claim 8 (currently amended): The asset management and status system as recited in claim 2, wherein the data communication terminal is structured such that ~~at least one~~ each of the following is supported:

a) the user interface is employable by a user for inputting information related to the proximate asset whose identifying code has been directly received from the electronic device via the local wireless transceiver module ~~from an electronic device~~; and

b) at least a portion of the information entered in step a is transmitted to the remote computing system for storing in the database.

Claim 9 (currently amended): The asset management and status system as recited in claim 1, wherein the electronic device that is fixed to the proximate asset is provided by at least one of:

- a) a passive RFID tag;
- b) an active RFID transponder; and
- c) a portable computing and communication device.

Claim 10 (cancelled): The asset management and status system as recited in claim 9, wherein a plurality of assets are each equipped with an electronic device, with each electronic device configured for responding to a proximate RF signal by detecting the RF signal and transmitting in response thereto a unique identifying code, with the identifying code received by the proximate data communication terminal producing the RF signal.

Claim 11 (cancelled): The asset management and status system as recited in claim 10, wherein the detecting of the RF signal by the electronic device results in a backscattering modulation being produced by the electronic device, which is employed for transmitting the identifying code to the data communication terminal.

Claim 12 (currently amended): A distributed asset management and status system enabling a plurality of distributed assets to be inventoried, managed, and tracked such that a database, containing at least one record for each asset, can be established, maintained and updated, with records being as an ~~asset information repository that is~~ available for remote

accessing each time an asset is identified, the asset management and status system comprising:

a) a plurality of data communication terminals structured with a user interface and a multi-function communications capability, the data communication terminal configured for:

i) directly establishing a communication link with at least one proximate electronic device of an asset for exchanging information directly therewith, including a receiving by the data communication terminal of information including a unique identifying code transmitted by a respective proximate electronic device;

ii) receiving and processing position information enabling a determining of a current location at which the [asset and] data communication terminal, and thereby the proximate asset, are located; and

iii) transmitting information, including at least the identifying code and the associated current location information to a remote computing system;

b) the remote computing system, providing access to the database housing the asset related information in the form of at least one record for each asset, with the database established, maintained and updated, for accessing by a user utilizing one of the wireless data communication terminals for

gaining access to information related to one or more assets of interest;

c) a plurality of the electronic devices, with each electronic device associated with an asset by being fixed ~~fixing~~ thereto by way of a selected means, each electronic device configured having a unique and readable identifying code; and

d) means for enabling the exchanging of information between the data communication terminal and each of:

- i) the electronic device;
- ii) a position determining system; and
- iii) the remote computing system.

Claim 13 (original): The asset management and status system as recited in claim 12, wherein each electronic device is provided by at least one of:

- a) a passive RFID tag;
- b) an active RFID transponder; and
- c) a portable computing and communication device.

Claim 14 (original): The asset management and status system as recited in claim 12, wherein information is also transmitted from the data communication terminal to the electronic device for storage thereby.

Claim 15 (currently amended): The asset management and status system as recited in claim 14, wherein the information transmitted to the electronic device, at least in part, originated from the remote computing system, and passes through the data communication terminal.

Claim 16 (cancelled): A hand-holdable data communication terminal, comprising:

- a) a controller module;
- b) a local wireless transceiver module, responsive to the controller module for effecting a wireless exchange of information, including a providing to the controller module of an identifying code, received from an electronic device of a proximate asset over a communication link established between the local wireless transceiver module and the electronic device;
- c) a position determining module responsive to the controller module and structured for determining a current location at which the data communication terminal and the proximate asset are located;
- d) a wireless communication module operatively coupled to the controller module for enabling at least one of:
 - i) a transmitting to a remote computing system, via a wireless communication link, information including the identifying code and the current location of the proximate asset; and
 - ii) receiving information from the remote computing system, as required, including information related to the proximate asset identified by the identifying code.

Claim 17 (cancelled): The data communication terminal as recited in claim 16, wherein at least one antenna is included, respectively, for each of the local wireless transceiver module, the position determining module, and the wireless communication module.

Claim 18 (cancelled): The data communication terminal as recited in claim 17, wherein the local wireless transceiver module includes an RFID interrogator portion.

Claim 19 (cancelled): The data communication terminal as recited in claim 18, wherein the position determining module includes a global positioning system (GPS) receiver.

Claim 20 (cancelled): The data communication terminal as recited in claim 19, wherein the wireless communication module includes at least one of:

- a) a satellite transceiver; and
- b) a cellular transceiver.

Claim 21 (cancelled): The data communication terminal as recited in claim 16, further including a user interface comprising:

- a) a plurality of keyswitches; and
- b) a display;
- c) the keyswitches and display operatively coupled to the controller module, for enabling a user to input information and view information, respectively.

Claim 22 (currently amended): A method of monitoring a plurality of distributed assets and maintaining a database of information associated with the assets, with each asset equipped with an electronic identification device having a unique identifying code contained therein, the method comprising the steps of:

a) radiating an RF signal for detection ~~by a by at least one~~ proximate wireless electronic identification device of an asset in order to determine a unique identifying code for the asset;

b) receiving information directly from ~~an~~ the electronic identification device of the asset radiated by the RF signal, with the information including at minimum ~~an~~ the identifying code;

c) receiving position related information from an external source and determining a current location; and

d) transmitting information, including the identifying code and the determined current location, to a remote computing system for use in accessing and updating a database of asset related information.

Claim 23 (currently amended): The method as recited in claim 22, wherein after the transmitting step, additional steps include:

a) using the information received by the remote computing system, including the identifying code, and accessing at least one record of the database utilizing the identifying code;

b) updating location information ~~indicating a~~ thereby updating the current location stored within the record accessed.

Claim 24 (currently amended): The method as recited in claim 23, wherein an additional step is included of transmitting at least a portion of the accessed record back to a ~~to the~~ data communication terminal from which the identifying code was originally transmitted.

Claim 25 (currently amended): An asset management and status system providing a remote computing system configured with a wireless communication capability for supporting an exchanging of information ~~with any of a plurality of wireless data communication terminals remotely located from the computing system,~~ with the remote computing system arranged for receiving information such as an identifying code of an asset ~~from each data communication terminal,~~ as well as information indicating a current location of the asset, for use in updating and maintaining a database of asset related records established and maintained upon the computing system, the remote computing system comprising:

a) the wireless communication capability, wherein information can be exchanged with each included ~~of the~~ data communication terminals, including a receiving from a respective data communication terminal of an associated identifying code and current location of a proximate asset; and

b) the database established and maintained on the remote computing system, and available for storing and retrieving information associated with any of a plurality of assets being managed by the asset management and status system;

c) with records of the database accessed, at least in part, utilizing an identifying code received via the wireless communication capability, and additionally storing, at minimum, the current location for a respective asset associated with the accessed record.

Claim 26 (new): The remote computing system as recited in claim 25, wherein subsequent to receiving the identifying code and current location, at least a portion of a record maintained upon the computing system and associated with the asset identified by the identifying code, is transmitted back to the data communication terminal from which the identifying code originated.

Claim 27 (new): The remote computing system as recited in claim 26, wherein portions of the records accessed and transmitted back to the data communication terminal are, at least in part, made available for viewing by a user of the data communication terminal.

Amendments to the Drawings:

The attached drawing sheets, provided as Appendix, include a replacement Fig. 7, and an annotated Fig. 7.

An arrow was drawn backwards, as indicated in the annotated drawing sheet, and as shown corrected in the replacement sheet.

Attachment (Appendix): Replacement sheet
Annotated sheet, showing changes

Remarks:

1. A restriction under 35 U.S.C. 121 was required by the Examiner regarding the following indicated inventions:

I) Claims 1-15 and 22-25, drawn to an asset management and status system (classified in class 707, subclass 10); and

II) Claims 16-21, drawn to a hand held scanner, classified under class 235, subclass 472.02.

First it should be noted that the applicant asserts that the claims 16-21 are drawn to a "wireless data communication terminal", which has notable additional structural and operational differences when compared to common scanning and reading devices.

As indicated by the Examiner in the third paragraph on page 3 of the Examiner Action of May 1, 2006, the applicant was contacted by telephone and has elected to prosecute Invention I, drawn to claims 1-15 and 22-25. Accordingly, claims 16-21 have been cancelled.

It should further be noted that the second invention, Invention II (claims 16-21), is being prosecuted as a separate application, which was filed via EFS-Web (App No. 11/457807) on July 16, 2006.

2. The Examiner has indicated that "Claim 8 is rejected under 35 U.S.C. 112, second paragraph, for being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections."

The applicant has responded to this rejection by amending claim 8 as suggested by the Examiner. The amendments include

replacing the original phrase "at least one of the following is supported" with "each of the following is supported". In addition, several additional changes have been made for clarity purposes.

Accordingly, the applicant respectfully submits that the rejection under 35 U.S.C. 112, second paragraph, has been addressed and overcome.

3. The Examiner has also rejected claims 1-15, and claims 22-25, under 35 U.S.C. 102(b) as being anticipated by Issacman et al. (US 5,936,527).

The applicant must respectfully disagree with the Examiner regarding this rejection, for a number of reasons, based on important limitations presented in the currently amended and pending claims.

In addition, the Issacman invention requires structures and limitations that are not useful with the applicants present invention, while omitting essential structures and capabilities included in the applicant's claimed embodiments.

As will be discussed, these differences result, in part, from the very different intended uses of the respective inventions: Issacman is intended to locate an often lost item (e.g., one document of many proximate documents), while the applicant's invention tracks an asset that is not lost or missing, but is always located directly in front of a user of a respective data communication terminal of the invention.

4. Structural and functional differences between Issacman and the invention of the applicant are summarized below.

a) **Issacman utilizes and requires one-way communication, while the applicants present invention requires direct two-way communication.**

The Issacman apparatus, employs one-way or indirect communication techniques, for cost and complexity reasons, and employs low cost "local exciters 18". (See Figs 3 and 4; col 4, lines 53+; and col 5, lines 21+.)

In contrast, the applicant's present system employs two-way, bi-directional, and direct communication techniques, utilizing interrogation head portion 37 and transceiver 40, which both excite an identification tag (or suitable electronic device) and receive a response.

Importantly, Issacman clearly indicates that the use of the applicants two-way approach and transceivers is not practical for his application. (See *Issacman's Background section; Figs 1 and 2; col 4, lines 6+; and col 4 lines 26+*).

In contrast, the applicants invention as described and claimed uses 'local wireless transceivers' and direct two-way communication techniques, which Issacman indicates are unsuitable for office environments and his present teachings.

b) **Issacman does not include dedicated hardware to receive position related information and determine a current location.** Issacman relies on the fixed and known position of components such as local exciters 18, each of which must

have their position programmed into the system for the system to operate. For example, individually addressable exciters may be placed on each shelf holding documents, or within each draw of a file cabinet.

In contrast, the applicants claimed apparatus specifically includes modules and hardware to "receive" position related information, which is used for determining a current location - that can be potentially anywhere on the planet. The position of each data communication terminal is not fixed. This limitation is clearly included in the applicant's currently pending independent claims. (See claim 1, part-c; claim 12, part-a; claim 22, part-c; and claim 25, part-a & part-c.)

Issacman does not explicitly receive and process any information related to a current location. Instead, a specific addressable local exciter 18 (of a plurality of local exciters) is activated. If there is no response received, by an associated host transceiver, from the document of interest to be located, then another addressable local exciter 18 is activated. This process continues until all available local exciters have been activated or until the document is found. As such, the position of all of the local exciters 18 must be fixed and programmed into the PC 2 computing devices. (See col 7, lines 52+; col 8, lines 47+; and col 10, lines 55+)

Thus, the hardware structure of Issacman is very different from that of the applicant's embodiments.

- c) **Issacman implements a one-way (indirect) interrogation that requires addressable host transceivers 14 that are**

structured to operated with the addressable local exciters 18.

Specifically, Issacman teaches the use of a first frequency (f.sub.1) to activate an exciter device. The exciter can be any of a local exciter 18, a desktop exciter 26, or a handheld exciter 24. This causes the exciter to emit a second frequency, f.sub.2, to excite a plurality of nearby tags, each of which is fixed to an item (e.g., a document). If the item that is being searched for (using a unique address) encounters the second frequency, the modulated response is not transmitted back to the local exciter (which is lacking an appropriate receiver means). Instead, the response is received (sensed) by the local host transceiver 14. Thereby utilizing a one-way or 'indirect' communication technique.

In contrast, the applicant's data communication terminals 14/14a transmit a stimulus signal and always receive back a response. Thereby utilizing two-way and 'direct' communication techniques.

In addition, the transmitting of a stimulus signal by a data communication terminal 14 of the present invention, virtually always results in the receiving of a response including the assets unique identifying code - there is no addressing involved.

- d) It is important to note that the data communication terminals 14 of the applicants invention function as a 'communication nexus'. That is, all communications relating to an asset is interest pass through these data communication terminals 14. As such, the applicant's

claimed invention includes at least three (3) wireless communication modules (or capabilities). More specifically the applicant's current system includes:

- a wireless local transceiver 40 (e.g., an interrogator);
- a wireless position information receiver/module 20 (e.g., GPS satellite receiver)
- a long or very long distance sat/cell communication module 30 (for exchanging information with the remote computing system.

e) It may also be noted that the item/document number of Issacman is generally known, available, and used to locate the lost or misplaced item. In contrast, the applicant's present invention is **always querying a proximate asset to determine the unique identifying code**. Subsequently, the unique identifying code and a determined current position are transmitted to a remote (not local) computing system. This is very different from the disclosed structure and operation of the Issacman embodiments.

5. Therefore, the applicant respectfully suggests that the structure and functional operation of the applicant's present invention, as currently disclosed and claimed in the amended independent claims 1, 12, 22, and 25, is significantly and patentably different from that of Issacman, as well as the other prior art of record.

Accordingly, the applicant respectfully requests that the 102(b) rejection of the applicants pending claims be reconsidered and withdrawn.

6. During a review of the applicant's currently filed drawings, an error was found in Fig 7. A direction arrow flowing from item 306 to 308 is backwards. More specifically, at decision diamond 308, if it is determined that a 'time-out' has not been reached, the 'radiate RF signal' 308 function should be continued.

As such, the direction arrow from 308 to 306 has been reversed. This change is supported by the discussions of paragraphs [0047], starting on line 20 of page 26 of the specification.

An included Appendix, following page 23, includes a replacement drawing sheet, followed by an annotated drawing sheet.

7. The proposed amendments to the present application, as provided above, are deemed not to add new subject matter as required by 35 U.S.C. 132 and 37 C.F.R. Rule 1.118.

8. Summary and Conclusions:

It is respectfully submitted that the Asset Management and Status System, as described and claimed by the applicant, is not taught or suggested by Issacman or the other prior art of record. In particular, a number of structural and operational limitations taught by the applicant's claimed invention are not present in the cited prior, and certainly are not found in the Issacman reference.

Importantly, the embodiments disclosed and claimed by the applicant specifically provide structures for supporting a two-way (direct) communication with an identifying tag fixed to an asset, as well as providing position determining

capabilities for determining a current location. Subsequently, the unique identifying code and current location of a proximate asset are transmitted to a remote location for storage in a database of the invention.

Therefore, based on the above amendments, comments, and responses to the Office Action of May 1, 2006, the allowance of the independent claims 1, 12, 22, and 25 is respectfully requested.

As each of these presently pending independent claims is now deemed to be in proper form, and considered to include limitations that define patentable subject matter over the prior art, their allowance is earnestly solicited.

Since the dependent claims incorporate all of the limitations of the independent claims from which they depend, their allowance is also respectfully requested.

Thank-you for your time regarding the review and analysis of this response, as well as the time spent during the interview of _____.

Respectfully submitted,

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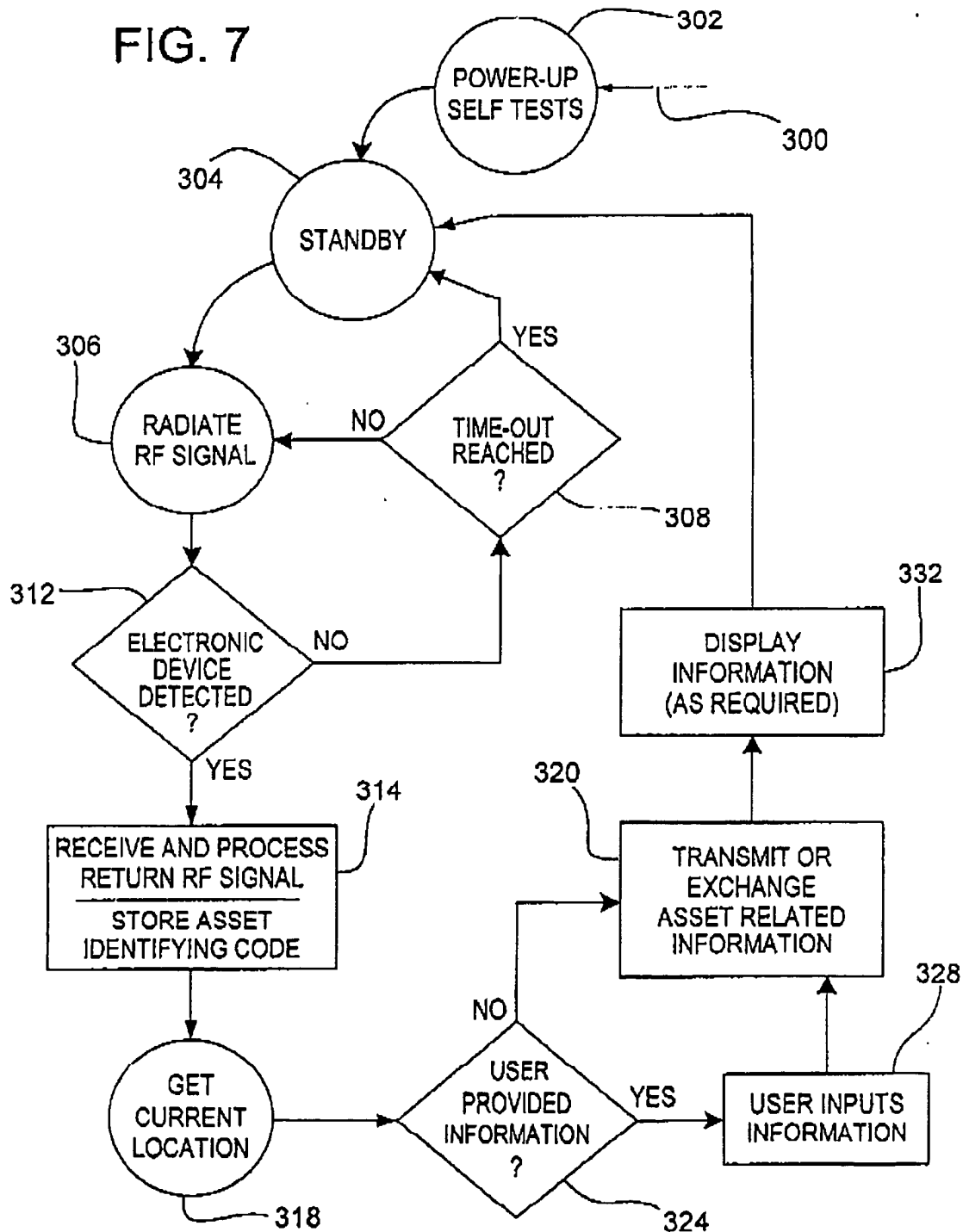
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FIG. 7



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FIG. 7

